

Service Date: January 6, 1986

FINAL ORDER NO. 5662

DEPARTMENT OF PUBLIC SERVICE REGULATION
MONTANA PUBLIC SERVICE COMMISSION

In the Matter of the Application of)	DOCKET NO. T-8756
Bob Boyd Trucking Inc., Livingston,)	
Montana for a Certificate of Public)	ORDER NO. 5662
Convenience and Necessity.)	

The Commission, having taken evidence and being fully advised in the premises, makes the following findings, conclusions and order:

FINDINGS OF FACT

1. On April 24, 1985, Bob Boyd Trucking, Inc., 417 North M, Livingston, Montana 59047, filed an application with the Montana Public Service Commission under Title 69, MCA, for a Certificate of Public Convenience and Necessity authorizing the transportation of lumber, lumber products and lumber by-products, Class B, between all points and places in Montana.

2. In accordance with Section 69-23-321, MCA, as amended, this matter was noticed to the public May 2, 1985. That notice said in pertinent part:

If no written protests are received by May 22, 1986, a hearing may not be held and a final order may be issued in this Docket. If a protest is received, a hearing will be scheduled. Individual notice of the hearing will be given only to Protestants and Applicant.

The application included affidavits of support.

3. Protests were filed and the matter was subsequently scheduled for public hearing to be held August 8, 1985. At the request of the Applicant, the hearing was continued to November 7, 1985.

4. At the commencement of the public hearing, Applicant restrictively amended his application and protestants then withdrew their protests to the docket.

5. The record of this application is available for inspection at the Public Service Commission Office, 2701 Prospect Avenue, Helena, Montana 59620.

CONCLUSIONS OF LAW

1. The Montana Public Service Commission properly exercises jurisdiction over the parties and subject matter in this proceeding.

2. The Commission afforded all parties interested in this proceeding proper notice and an opportunity to participate.

3. Public Convenience and Necessity require a grant of the authority sought by the Applicant.

ORDER

NOW THEREFORE, at a session of the Public Service Commission, Department of Public Service Regulation of the State of Montana, held in its offices at 2701 Prospect Avenue, Helena, Montana, on the 6th day of January 1986, there being present a quorum of Commissioners, there came regularly before the Commission for final action the matters and things in Docket No. T-8756, and the Commission being fully advised in the premises;

IT IS ORDERED by the Commission that the application of Bob Boyd Trucking, Inc., Livingston, Montana for a Certificate of Public Convenience and Necessity IS GRANTED to the following extent: Class C - Lumber, lumber products, and lumber by-products between all points and places in the State of Montana. Limitations: 1) No transportation services terminating in Missoula County, Montana, of wood chips, sawdust, hog fuel, wood shavings, and wood by-products, 2) Transportation Services are limited to the account of Timberweld Manufacturing of Columbus, Montana.

IT IS FURTHER ORDERED that a full, true and correct copy of this order be sent forthwith by certified mail to the Applicant herein.

THE FOREGOING ORDER was adopted by the Department of Public Service Regulation of the State of Montana, Public Service Commission, IN OPEN SESSION at Helena, Montana, this 6th of January, 1986 by a vote of 5 - 0 .

BY ORDER OF THE MONTANA PUBLIC SERVICE COMMISSION

CLYDE JARVIS, Chairman

JOHN B. DRISCOLL, Commissioner

HOWARD L. ELLIS, Commissioner

TOM MONAHAN, Commissioner

DANNY OBERG, Commissioner

ATTEST:

Trenna Scofield
Commission Secretary

(SEAL)

NOTE: Any interested party may request the Commission to reconsider this decision. A motion to reconsider must be filed within ten (10) days. See 38.2.4806, ARM.